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8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 JOSEPH ANTONIO VIRUEGAS,

11 Plaintiff,

No. CIV S-03-2038 LKK DAD P

12 vs.

13 MIKE KNOWLES, et al.,

14 Defendants.

ORDER

15 \_\_\_\_\_/  
16 Plaintiff, a state prisoner proceeding pro se, has filed this civil rights action  
17 seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate  
18 Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local General Order No. 262.

19 On January 31, 2005, the magistrate judge filed findings and recommendations  
20 herein which were served on plaintiff and which contained notice to plaintiff that any objections  
21 to the findings and recommendations were to be filed within twenty days. Plaintiff has not filed  
22 objections to the findings and recommendations.

23 The court has reviewed the file and finds the findings and recommendations to be  
24 supported by the record and by the magistrate judge's analysis.

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Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed January 31, 2005, are adopted in full;

and

2. This action is dismissed without prejudice.

DATED: August 24, 2005.

/s/Lawrence K. Karlton  
UNITED STATES DISTRICT JUDGE

/viru2038.800s